



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,023	02/28/2001	Colin Thomas Metcalfe	HOWS3002/JJC	5866
23364	7590	05/08/2007		
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			EXAMINER ARK, DARREN W	
			ART UNIT 3643	PAPER NUMBER
			MAIL DATE 05/08/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

09/736,023

Applicant(s)

METCALFE, COLIN THOMAS

Examiner

Darren W. Ark

Art Unit

3643

All participants (applicant, applicant's representative, PTO personnel):

(1) Darren W. Ark.

(3) _____

(2) Patrick Buechner.

(4) _____

Date of Interview: 04 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: 1 and 23.

Identification of prior art discussed: Prior art of record.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

DARREN W. ARK
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: For claim 23, applicant proposed to amend the claim to recite a "powdered" composition which is not shown in any of the prior art of record. Examiner argued that Taylor '983 discloses a powdered composition since the ferromagnetic material is dispersed in the thermoplastic material used to form the game discs (16) and that the term "powdered" does not really suggest any particular size of the particles and could be considered to be a relative term. Applicant suggested amending claim 1 by reciting a step of "placing the trap in the path of insects". Examiner argued that any location in which the devices of Taylor, Linnebuhr, Starkweather, and Gladden would be ultimately placed could be considered to be in the path of an insect since the paths in which insects take are not predetermined and are dependent upon the inclination of each individual insect. Examiner suggested amending claims 1 and 23 to include the limitations of claim 2 in order to define the particle size over the Taylor, Linnebuhr, and Starkweather patents which would not work if they particles were of such size recited in claim 2. In regard to Gladden, Examiner argued that the particle sizes attracted to the magnets (26, 28, 30) within the housing (14, 16) may be of such small size as recited in claim 2. Examiner suggested amending claims 1 and 23 to recite that the housing has an entrance which is open to ambient for admitting insects from the outside since Gladden discloses a closed system. Applicant suggested proposed language for claim 1 of "an entrance open to the ambient and allowing access to an interior of the housing" to define over Gladden which has a closed system not open to ambient. Applicant proposed similar language be added to claim 23 after the term "housing" in line 2. Examiner will consider the amendment when it is formally filed in the application.